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Sok-Bom Kim

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LADAS & PARRY LLP  
224 SOUTH MICHIGAN AVENUE  
SUITE 1600  
CHICAGO, IL 60604

EXAMINER

OBAYANJU, OMONIYI

ART UNIT

PAPER NUMBER

4163

MAIL DATE

DELIVERY MODE

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



**DETAILED ACTION**

***Election/Restrictions***

1. This application contains claims directed to more than one species of the generic invention. These species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

The species are as follows:

Species A, claim(s) 1-3, drawn to (fig. 2).  
Species B, claim(s) 4-6 drawn to (fig. 3).  
Species C, claim(s) 7-9, drawn to (fig. 4).  
Species D, claim(s) 10-11, drawn to (fig. 5).

Applicant is required, in reply to this action, to elect a single species to which the claims shall be restricted if no generic claim is finally held to be allowable. The reply must also identify the claims readable on the elected species, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered non-responsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

2. The claims are deemed to correspond to the species as set forth above.  
The following claim(s) are generic: There are no generic claims.

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3. The species listed above do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, the species lack the same or corresponding special technical features for the following reasons:

4. The method of claims 1-3 corresponding to fig. 2, discusses checking the identification code of the caller terminal and the tone code for the receiver terminal restored in the play control server whereby and setting the substitute ringback tone of the caller terminal such that the substitute ringback tone of the caller terminal is identical with the substitute ringback tone of the receiver terminal.

5. The method of claims 4-6 corresponding to fig. 3, discusses sending a short message containing a callback information of the system to the caller terminal for inviting the caller terminal to connect to the system; when the caller terminal is connected to the system, receiving a confirmation for change of the substitute ringback tone; and storing the identification code of the caller terminal and the tone code for the called terminal in the play control server, such that the tone code for the caller terminal is now identical to the tone code of the called terminal.

6. The method of claims 7-9 corresponding to fig. 4, discusses identifying the substitute ringback tone corresponding to the target phone number from the play control server; receiving from the caller terminal a confirmation for change of the substitute ringback tone, and then setting the substitute ringback tone of the caller terminal to be identical to the substitute ringback tone of the target phone number; and storing the phone number of the user caller terminal and the tone code for the target phone number

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in the play control server, such that the tone code of the caller terminal is now identical to the tone code of the target phone number.

7. The method of claims 10 and 11 corresponding to fig. 5, discusses temporarily storing an identification code of the recipient and sending a short message containing a callback information of the system to the for inviting the recipient to connect to the system .

8. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to OMONIYI A. OBAYANJU whose telephone number is (571)270-5885. The examiner can normally be reached on Mon - Fri, 7:30 - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Robinson can be reached on 571-272-2319. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/O. A. O./  
Examiner, Art Unit 4163

***/Mark A. Robinson/  
Supervisory Patent Examiner, Art Unit 4163***